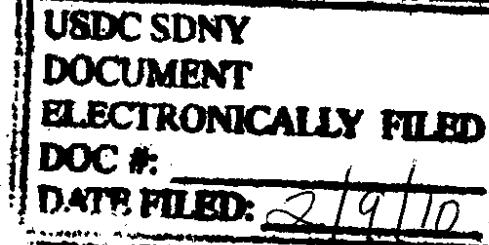


Cedarbaum

FOX ROTHSCHILD LLP
Carolyn D. Richmond, Esq.
Eli Z. Freedberg, Esq.
100 Park Avenue, Suite 1500
New York, NY 10017
(212) 878-7900



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IZUMI TEZUKA and MIHO OGAWA,
individually, and on behalf of all those
similarly situated,

Plaintiffs,

-against-

E.OCHI, INC., YASUTOMO KAWANO,
and KAZUO WAKAYAMA,

Defendants.

ECF Case

No. 09 Civ. 10140 (MGC)

STIPULATION EXTENDING TIME
TO RESPOND TO PLAINTIFFS'
COMPLAINT AND TOLLING
AGREEMENT

IT IS HEREBY STIPULATED AND AGREED by and between the
undersigned counsel for the respective parties that:

1. The deadline for Defendants, E. Ochi, Inc., Yasutomo Kawano, and Kazuo Wakayama ("Defendants"), to answer, move or otherwise respond to Plaintiffs' Complaint filed on December 11, 2009, shall be extended to February 15, 2010.

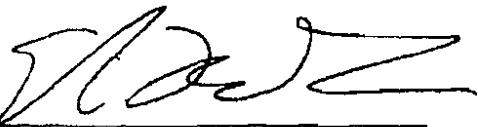
2. The statute of limitations for claims under the Fair Labor Standards Act is tolled as to non exempt persons employed by Defendants in any tipped position who elect to opt-in to this action ("Putative Opt-In Plaintiffs") until February 15, 2010.

Dated: New York, New York
February 5, 2010

By:


Brian S. Schaffer
FITAPELLI & SCHAFFER, LLP
1250 Broadway, Suite 3701
New York, NY 10001
Attorneys for Plaintiffs

By:


Eli Z. Freedberg
FOX ROTHSCHILD, LLP
100 Park Avenue, Suite 1500
New York, NY 10017
Attorneys for Defendants

Dated: New York, New York <i>February 9, 2010</i>	5 SO ORDERED. <i>[Handwritten signature]</i>
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